

tray; and a free space delimited between the bottom of the tray and the base of the container.

D'cont
--37. (new) The cultivation system according to claim 36, wherein said free space is common to at least a number of said accommodations at the bottom.--

--38. (new) The cultivation system according to claim 36, wherein said boundary walls have a wall thickness of less than 2.5 mm.--

REMARKS

The application has been amended as needed so as to place it in condition for disposal at the time of the next Official Action.

Claims 14-17 and presumably 18-20 were rejected under 35 USC §103(a) as being unpatentable over WATKINS 5,787,641. The Official Action states that the patented reference discloses a plastic body 10 having a number of accommodations 40 with an insertion opening for the plant (FIG. 2) and is at least partially open at the bottom 18; wherein the bottom is delimited by cutting edge 28 acting in the direction in which the plant is removed. It is concluded that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have constructed the boundary walls to a thickness of 2.5 mm,

as they would need to be thin enough to provide a cutting edge while still affording support to the bulb stray structure.

Reconsideration of the above rejection is respectfully requested for the following reasons.

By the present amendment, it will be seen that newly presented independent claim 26 has been drafted so as to include most of the subject matter formerly recited in independent claim 14, as well as the clamping means for clamping the bulb in each accommodation, of former claim 15. A new independent claim 36, corresponds to former claim 24, and also includes the recitation of the clamping means.

Thus, newly presented independent claim 26 calls for a bulb tray designed to receive bulbs, without any soil. This feature is further brought out in the claim, which recites that the clamping means are for clamping the bulb, that is, the bulb is directly engaged by the clamping means. This clamping means can comprise any clamping means in the art, and an example is provided in claim 27, which calls for plates extending increasingly further into the accommodation from the insertion opening to the bottom of the accommodation. However, this is a preferred embodiment, and the clamping means can indeed comprise any clamping means known in the prior art.

Turning now to the WATKINS reference, the device described therein functions to receive a single plant, together with soil. This single plant is received in the upper part of the WATKINS device. Roots extend in four accommodations 40,

which are separated by baffles 42. These baffles 42 are not intended to act as clamping means, but function to provide a separation between the roots, as is clear from Figure 3 of this patented reference. In addition, lines 26-34 of column 16 of the WATKINS reference state that the root barrier plates 42 separate the lower portion of the receiving space into non-communicating compartments 40. A given root growing outwardly from a plant's stem enters into at most one of the compartments 40, and thereby becomes confined within it. Eventually, the roots growing in each compartment will knit the soil together into cohesive units. When removed from the container, these units appear as wedge-shaped root lobes, as depicted at 80 in Figure 3. Although there are four accommodations 40 depicted in the WATKINS device, these accommodations do not function to receive four plants, but only to receive a quarter of the roots.

It follows that these root barrier plates 42 do not have any clamping functions, but merely serve to separate the roots of the plant.

It should be further pointed out that element 28 is a protrusion base opening, which serves to permit excess gravitational water to escape into a centered floor drain hole in the base of the associated plant container. Thus, this protrusion base opening 28 is not a cutting edge acting in the direction in which the bulb is removed from the accommodation, as is recited in each of the independent claims.

Claims 21 and 22 were rejected under 35 USC §103(a) as being unpatentable over WATKINS in view of European reference 0 195 653. The Official Action concludes that it would have been obvious to one of ordinary skill in the art to have designed the accommodations in the shape of a hexagon, as taught by the European reference.

Claims 23 and 25 were rejected under 35 USC §103(a) as being unpatentable over WATKINS in view of European reference 0 565 201. It is concluded that it would have been obvious to one of ordinary skill in the art to have combined the teachings of this secondary European reference and used the device of WATKINS to ship and cultivate tulip bulbs.

Reconsideration of the above rejections is respectfully requested for the following reasons.

While each of the secondary European references may disclose the features for which they were relied upon, they nevertheless fail to remedy the fundamental shortcomings of the basic WATKINS reference, so as to render the herein claimed subject matter obvious within the meaning of 35 USC §103. Indeed, the combined teachings of WATKINS and these European references would not have resulted in a bulb tray or a cultivation system having the characteristic features recited in independent claims 26 and 36, respectively.

In view of the present amendment and the foregoing remarks, therefore it is believed that this application has been

SMAK S.N. 09/720,906

placed in condition for allowance. Reconsideration and allowance on the basis of new claims 26-38 are accordingly earnestly solicited.

In the event that there are any questions relating to this amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

Respectfully submitted,

YOUNG & THOMPSON

By *Benoit Castel*
Benoit Castel
Attorney for Applicant
Registration No. 35,041
745 South 23rd Street
Arlington, VA 22202
Telephone: (703) 521-2297

July 29, 2002